

REMARKS

Claims 1-31 are pending in the application. Applicants acknowledge that the rejection of claims 1-31 under 35 U.S.C. 102(b) and 103(a) has been withdrawn, however, new grounds of rejection have been made by the Examiner. Therefore, claims 1-31 stand rejected.

INTERVIEW SUMMARY

On October 17, 2007, the undersigned contacted the Examiner to discuss the Final Office Action. The undersigned pointed out that the Examiner's arguments on p. 2 of the Final Office Action are inconsistent with the language of claim 1. For example, the undersigned pointed out that the Examiner asserts that the BSC 102 requests that the MS 106 (remote unit) measure the signal strength. In contrast, claim 1 specifies that the "request" is received from the MS 106, not the BSC 102. Similarly, the undersigned pointed out that the Examiner asserts that MS 106 (remote unit) provides the measured value to the BSC 102. Claim 1, however, specifies the measured power level is provided to (not provided by) the remote unit. No agreement was reached.

§102 Claim Rejection

In the Final Office Action, the Examiner relies on *Kiang* (US 6,453,151), in combination with various other references, to reject all of the pending claims. However, because *Kiang*, either alone or in combination with the other references, fails to disclose one or more of the claimed features of all of the independent claims, the Applicants respectfully assert that the pending claims are allowable for reasons presented below.

Claim 1 is discussed first. Claim 1 calls for receiving a request from a remote unit to provide a power level associated with a transmitting component. With respect to this claimed feature, the Examiner asserts that the "remote unit" of claim 1 corresponds to the mobile station

(MS) 106 of *Kiang*, and the “transmitting component” of claim 1 corresponds to the base station controller (BSC) 102 of *Kiang*. See Final Office Action, p. 3. The Examiner asserts that the “receiving” feature is taught by Kiang insofar as the reference discloses that the BSC 102 (“transmitting component,” according to the Examiner) requests that MS 106 (“remote unit,” according to the Examiner) to measure the signal strength. *Id.* at p. 2. The Examiner’s rejection is problematic because claim 1 calls for the “request” to be received from the remote unit, which according to the Examiner is the MS 106. However, according to the Examiner, in *Kiang*, the request is received from the BSC 102, and not MS 106. See Final Office Action, p. 2, (stating that BSC 102 request that MS 106 measure the signal strength).

Claim 1 further calls for measuring a power level of a signal provided by the transmitting component in response to receiving the request from the remote unit. In the Final Office Action, the Examiner asserts that the MS 106 provides the measured value to the BSC 102. See Final Office Action, p. 2. The MS 106, however, is not the “transmitting device” according to the Examiner. Rather, as noted earlier, the Examiner asserts that BSC 102 of *Kiang* corresponds to the transmitting device. See Final Office Action, p. 3.

For the above reasons, claim 1, and its dependent claims, are believed to be allowable. Additionally, independent claims 11, 17, 25, and 31 (and any claims depending therefrom) are also believed to be allowable for at least one or more reasons presented above.

Arguments with respect to other dependent claims have been noted. However, in view of the aforementioned arguments, these arguments are moot and, therefore, not specifically addressed. To the extent that characterization of the prior art references or Applicants’ claimed subject matter are not specifically addressed, it is to be understood that Applicants do not acquiesce to such characterization.

For the aforementioned reasons, it is respectfully submitted that all claims pending in the present application are in condition for allowance. Reconsideration of the present application is respectfully requested.

If for any reason the Examiner finds the application other than in condition for allowance, **the Examiner is requested to call the undersigned attorney** at the Houston, Texas telephone number (713) 934-4064 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,
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